



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: November 4, 2015

Sponsored by Council Members: Motsavage, Mihalko, Matzo, Berg, Papastrat

Introduced by Committee: Public Works/Parks and Recreation

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO SUPPLEMENTAL  
AGREEMENT NO. 8 WITH DELTA ENGINEERS  
FOR THE FRONT STREET RECONSTRUCTION  
AT THE NORFOLK-SOUTHERN RAILROAD  
PROJECT, PIN 9752.74

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 05-4 on February 7, 2005, entitled, "A Resolution Authorizing the City of Binghamton to Enter into an Agreement with Delta Engineers for Design and Construction Administration Services for the Front Street Reconstruction at the Norfolk Southern Railroad"; and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 08-13 on February 5, 2008, entitled, "A Resolution to Allow the City of Binghamton to Execute Supplemental Agreement #1 with Delta Engineers to Perform Additional Right of Way Mapping for PIN 9752.74, Front Street Reconstruction at Norfolk Southern Railroad"; and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 08-14 on February 5, 2008, entitled, "A Resolution to Allow the City of Binghamton to Execute Supplemental Agreement #2 with Delta Engineers to Perform Services Necessary for Right of Way Acquisition for PIN 9752.74, Front Street Reconstruction at Norfolk Southern Railroad"; and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 10-3 on January 6, 2010, entitled, "A Resolution Authorizing Supplemental Agreement No. 3 with Delta Engineers for Additional Design and Right-of-way Services for the Front Street Reconstruction at the Norfolk Southern Railroad Project, PIN 9752.74"; and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 11-28 on April 6, 2011, entitled, "A Resolution Authorizing the Mayor to Enter into Supplemental Agreement No. 4 with Delta Engineers, Architects & Land Surveyors for the Front Street Reconstruction at Norfolk Southern Railroad Project (PIN 9752.74)"; and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 13-38 on April 3, 2013, entitled, "A Resolution Authorizing the Mayor to Enter into Supplemental Agreement No. 5 with Delta Engineers for Professional Services Related to Design

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Modifications to PIN 9752.74, Front Street Reconstruction under the Norfolk Southern Railroad”;  
and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 14-63 on October 8, 2014, entitled “A Resolution authorizing the mayor to enter into Supplemental Agreement No. 6 with Delta Engineers on the Front Street Reconstruction Project (PIN 9752.74)”;  
and

WHEREAS, the Council of the City of Binghamton adopted Permanent Resolution 15-49 on April 22, 2015, entitled “A Resolution authorizing Supplemental Agreement No. 7 with Delta Engineers for PIN 9752.74 to allow a time extension”; and

WHEREAS, the Commissioner of Public Works has recommended that the City of Binghamton enter into Supplemental Agreement No. 8 with Delta Engineers to allow for a deadline extension to December 31, 2015, and to address the overage incurred as a result of additional out-of-scope effort and expenses, at no cost to the City; and

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into Supplemental Agreement No. 8, approved as to form and content by the Office of Corporation Counsel, with Delta Engineers to allow for a deadline extension to December 31, 2015, and to address the overage incurred as a result of additional out-of-scope effort and expenses, at no cost to the City.

Introductory No. R15-117

Permanent No. R15-116

Sponsored by City Council Members:  
Motsavage, Mihalko, Matzo, Berg, Papastrat

A RESOLUTION AUTHORIZING THE MAYOR TO  
ENTER INTO SUPPLEMENTAL AGREEMENT NO. 8  
WITH DELTA ENGINEERS FOR THE FRONT STREET  
RECONSTRUCTION AT THE NORFOLK-SOUTHERN  
RAILROAD PROJECT, PIN 9752.74

The within Resolution was adopted by the Council of  
the City of Binghamton.

11/4/15  
Date  
Anthony (Deputy)  
City Clerk

11/5/15  
Date Presented to Mayor

11/15/15  
Date Approved  
Michael Costello  
Mayor

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko	✓			
Rennia		✓		
Webb		✓		
Papastrat	✓			
Matzo	✓			
Berg	✓			
Total	5	2	0	0

☐ Code of the City of Binghamton

☒ Adopted ☐ Defeated

5 Ayes 2 Nays 0 Abstain 0 Absent

I hereby certify the above to be a true copy  
of the legislation adopted by the Council  
of the City of Binghamton at a meeting  
held on 11/4/15. Approved by the  
Mayor on 11/5/15.  
Anthony (Deputy)